

Adopted	Rejected
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COMMITTEE REPORT

YES:	23
NO:	0

MR. SPEAKER:

*Your Committee on Ways and Means, to which was referred House Bill 1552, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 21, line 2, delete "." and insert "**and providing the**
- 2 **conservation officer with the defendant's home address.**".
- 3 Page 21, line 6, delete "do the following:".
- 4 Page 21, line 7, delete "(1 Issue" and insert "issue".
- 5 Page 21, run in lines 6 through 7.
- 6 Page 21, delete lines 8 through 22, begin a new paragraph and
- 7 insert:
- 8 "**(d) This subsection applies to a warrant issued under**
- 9 **subsection (c) for the arrest of a defendant who is an Indiana**
- 10 **resident. If the warrant is not executed within thirty (30) days after**
- 11 **issue, the court shall promptly forward the court copy of the**
- 12 **summons to the bureau of motor vehicles indicating that the**
- 13 **defendant failed to appear in court as ordered. The court shall then**
- 14 **mark the case as failure to appear on the court's records.**
- 15 **(e) This subsection applies to a warrant issued under subsection**
- 16 **(c) for the arrest of a defendant who is not an Indiana resident. If**

1 the warrant is not executed within thirty (30) days after issue, the
2 court shall promptly forward the court copy of the summons to the
3 bureau of motor vehicles. The bureau of motor vehicles shall notify
4 the bureau of motor vehicles commission of the state of the
5 nonresident defendant of the defendant's failure to appear and also
6 of any action taken by the bureau of motor vehicles relative to the
7 Indiana driving privileges of the defendant. The court shall then
8 mark the case as failure to appear on the court's records.

9 (f) If the bureau of motor vehicles receives a copy of the
10 summons or a summons for failure to appear in court, the bureau
11 of motor vehicles shall suspend the driving privileges of the
12 defendant until the defendant appears in court and the case has
13 been disposed of. The order of suspension may be served upon the
14 defendant by mailing the order by first class mail to the defendant
15 at the last address shown for the defendant in the records of the
16 bureau of motor vehicles. The order takes effect on the date the
17 order is mailed.

18 (g) For nonresidents of Indiana, the order of suspension shall be
19 mailed to the defendant at the address given to the arresting
20 conservation officer by the defendant as shown by the signed
21 summons. The order takes effect on the date of mailing. A copy of
22 the order shall also be sent to the bureau of motor vehicles of the
23 state of the nonresident defendant. If:

24 (1) the defendant's failure to appear in court has been
25 certified to the bureau of motor vehicles under this chapter;
26 and

27 (2) the defendant subsequently appears in court to answer the
28 charges against the defendant;

29 the court shall proceed to hear and determine the case in the same
30 manner as other cases pending in the court. Upon final
31 determination of the case, the court shall notify the bureau of
32 motor vehicles of the determination upon forms prescribed by the
33 bureau of motor vehicles. The notification shall be made by the
34 court within ten (10) days after the final determination of the case,

1 **and the original copy of the summons must accompany the**
2 **notification."**

(Reference is to HB 1552 as printed January 31, 2003.)

and when so amended that said bill do pass.

Representative Crawford